IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4057 OF 2007

Prakash Sakharam Ruikar .. Petitioner.

Versus

1) Arun Sakharam Ruikar

2) Abhimanyu Sakharam Ruikar .. Respondents.

Ms.Gauri Godse for the petitioner.

None for the respondents.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 4TH JULY, 2007.

P.C.:

1. The petitioner is challenging an order passed on 9th March, 2007 by the 12th Joint Civil Judge, Senior Division, Pune below Exhibit-37 in Miscellaneous Application No.599 of 2001. That application has been rejected by the impugned order.

2. The order that has been passed is during the course of the main proceedings. I see no reason to

interfere at this stage in my limited jurisdiction under Article 227 of the Constitution of India. More so if the final order is adverse to the petitioner, the petitioner can while challenging the same raise pleas regarding the subject rejection. Needless to state that all grounds which are raised before the Trial Court so also in the present petition are available for being urged during the course of such challenge.

3. Petition is dismissed.

(S.C.Dharmadhikari, J.)